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JCS 43 U.S. PTO

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U S Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	TCS-414.2P US-1
First Inventor	Thomas
Title	PLASMID-BASED VACCINE FOR TREATING ATHEROSCLEROSIS
Express Mail Label No.	EL164335092US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
Submit an original and a duplicate for fee processing.
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 51]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 10]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No. 09 171,969

Prior application information

Examiner Dave Nguyen

Group Art Unit 1633

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/>	Customer Number or Bar Code Label	<i>(Insert Customer No. or Attach bar code label here)</i>			<input type="checkbox"/> or <input checked="" type="checkbox"/> Correspondence address below
Name	Leon R. Yankwich, Esq.				
	YANKWICH & ASSOCIATES				
Address	130 Bishop Allen Drive				
City	Cambridge	State	MA	Zip Code	02139
Country	U.S.A.	Telephone	(617) 491-4343		Fax (617) 491-8801
Name (Print/Type)	Thomas R. Berka, Ph.D.	Registration No. (Attorney/Agent)	39,606		
Signature	<u>Thomas R. Berka</u>			Date	April 30, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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09/045511
04/30/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 435.00)

Complete if Known

Application Number	(not yet assigned)
Filing Date	(concurrently herewith)
First Named Inventor	Thomas
Examiner Name	(not yet assigned)
Group Art Unit	(not yet assigned)
Attorney Docket No.	TCS-414.2 P US-1

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number **50-0268**
Deposit Account Name **Yankwich & Associates**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	130	123 130 Petitions related to provisional applications	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			SUBTOTAL (3) (\$ 00.00)

*or number previously paid, if greater. For Reissues see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 00.00)

SUBMITTED BY

Name (Print/Type)	Thomas R. Berka, Ph.D.	Registration No (Attorney/Agent)	39,606	Telephone	(617) 491-4343
Signature	<i>Thomas R. Berka</i>			Date	April 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas, Lawrence J.

Serial No.: (not yet assigned)

ART UNIT:

Filed: (concurrently herewith)

EXAMINER:

Entitled: PLASMID-BASED VACCINE FOR
TREATING ATHEROSCLEROSIS

Continuation of U.S. Appln. Ser. No. 09/171,969

Attorney Docket No.: TCS-414.2P US-1

Box Patent Application

Asst. Commissioner for Patents
Washington, D.C. 20231

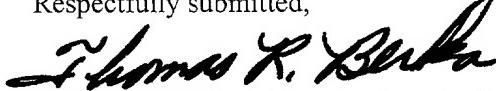
UTILITY PATENT APPLICATION TRANSMITTAL

Continuation of U.S. Appln. Ser. No. 09/171,969

Prior Examiner: D. Nguyen Prior Unit: 1633

1. Fee Transmittal form PTO/SB/17 (in duplicate).
2. Utility Patent Application Transmittal form PTO/SB/05.
3. Copy of prior application specification of 51 pages (including Abstract of the Disclosure).
4. Copies of Formal Drawings 10 pages.
5. Copy of oath/declaration (pursuant 37 CFR §1.63(d)) and power of attorney filed in parent application.
6. Copy of Recorded Assignment.
7. Sequence Listing:
(a) computer readable form (CRF), (b) paper copy, and (c) statement under 37 CFR 1.821(f).
8. Preliminary Amendment.
9. Return receipt post card.
10. Check No. 3484 in the amount of \$ 435.00 to cover the application filing fee.

Respectfully submitted,



Thomas R. Berka, Ph.D.; Registration No. 39,606

Leon R. Yankwich; Registration No. 30,237

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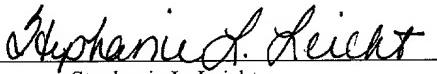
telefax: (617) 491-8801

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that this correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. EL 164335092 US, in an envelope addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on the date indicated below.

April 30, 2001

date



Stephanie L. Leicht